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Cyberbullying

Question: What do principals need to know about cyberbullying?

What are schools doing to address the growth of cyberbullying?

In a Nutshell

Cyberbullying involves repeated and unwanted aggressive behavior using the Internet, cell phones or other digital devices and is used to hurt or embarrass another person. The National Crime Prevention Council found that 43% of teens had experienced some form of cyberbullying in the past year and that cyberbullying is most common among 15-16 year olds and more common among females than males.

Because cyberbullying often occurs off campus and does not involve the use of school resources it is unclear whether schools can discipline students. The exception is if school officials can demonstrate, with evidence, that the cyberbullying has “substantially disrupted” the school’s operations.

Cyberbullying that occurs on campus is subject to school regulations and discipline.

The National Crime Prevention Council and the Center for Disease Control and Prevention both recommend that schools have clear policies about the use of technology including how school personnel will respond to activities that occur off-campus. They also recommend that schools be proactive and work with students and their families to educate them about the responsible use of all social media. Schools are encouraged to teach students about what to do if they are cyberbullied, and about the implications of irresponsible use of social media. Finally, it is recommended that staff receive training about cyberbullying and how to respond when it occurs.

Summary of Findings:

Cyberbullying has emerged as one of the fastest growing issues faced by school leaders. It involves the use of technology to bully another person and can occur through the use of e-mail, instant messaging or texting, blogs, postings on websites, or social networking sites.

Today's teens are very comfortable with technology. They use the Internet, cell phones, and text messaging to stay connected to friends. Access to technology is available at school, home, coffee shops, stores and friends' homes. A study by the National Crime Prevention Council found that 59% of 13-15 year olds have a cell phone and 74% of 16 - 17 year olds have one. More than 60% of teens say they use text messaging and about 25% of those teens send text messages while in school.

What is Cyberbullying?

The most common definition of cyberbullying is that it includes repeated, unwanted aggressive behavior over a period of time. The National Crime Prevention Council defines cyber-bullying as when "the Internet, cell phones or other devices are used to send or post text or images intended to hurt or embarrass another person." StopCyberbullying.org, an organization dedicated to internet safety, defines cyber bullying as: "a situation where a child, tween or teen is repeatedly 'tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted' by another child, tween or teen using text messaging, email, instant messaging or any other type of digital technology." Online harassment can have long-term implications for students because of the ability to forward the message, thus perpetuating the harassment.

Two videos provide a look at cyberbullying through the voices of victims.

<http://www.youtube.com/watch?v=T38-9OCDrP4> (Wired Safety's Video)
<http://www.metacafe.com/watch/2610179/cyberbullying/> (MetaCafe Video)

Prevalence of Cyberbullying

Because there is no common definition of cyberbullying it is difficult to determine the prevalence of the behavior. A 2008 UCLA study found that 41% of teens reported between one and three online bullying incidents (www.newsroom.ucla.edu/portal/ucla/bullying-of-teenagers-online-is-64265.aspx). According to the National Crime Prevention Council more than 43% of teens have been the victim of cyberbullying within the past year.

(<http://www.ncpc.org/resources/files/pdf/bullying/Teens%20and%20Cyberbullying%20Research%20Study.pdf>)

Common tactics used by those who cyberbully include:

- Pretending to be someone else when online.
- Spreading rumors and lies about their victim.
- Posting pictures of victims without their consent.

- Sending or forwarding rumors about their victims.
- Tricking people into revealing personal information.

What to Consider When Dealing with Cyberbullying

First, determine where the speech occurred. If it was on-campus the school can regulate it. If it was off-campus you need to determine whether it caused a substantial disruption. In either case, you need to document the impact in case your decision is reviewed.

Second, review your school's policies including those included in the student handbook or student code of conduct. Be sure that these policies are clear about what constitutes cyberbullying and what the penalties may be. Also state that activities that occur off-campus but cause a substantial disruption in school will be subject to school discipline.

Third, recognize that courts have voided school policies that regulated speech that was just unpleasant, insulting or offensive.

What Schools Can Do – Legal Considerations

While cyberbullying is a growing problem it often occurs off campus and outside of school hours, limiting what principals can do.

The dilemma with cyberbullying is that while it may begin off campus it can easily cause problems at school. When it does, principals can act based on the disruption that occurs to the school's program. But, based on the decision of the US Supreme Court in *Tinker v. Des Moines* (1969) you can only act when student speech causes a substantial disruption to school activities. Administrators may not restrict speech merely because they disagree with it or find it offensive. If the speech is a clear threat to school safety or to a conducive learning environment you may be able to act and discipline the student.

If cyberbullying occurs on campus principals can discipline students. For example, if students use school computers or their own cell phones or computers on school grounds then they are subject to school discipline. But most students access websites and social networking sites for cyberbullying while off the school campus.

A frequently cited case (*Layshock v. Hermitage School District*, 2007) dealt with a student who created a parody of the principal on a social networking website. The parody was created on a home computer and was not part of any school activity. A federal district court ruled in favor of the student and that school officials had violated the student's rights when they disciplined him for off-campus speech.

Schools should have clear, explicit policies about cyberbullying. They should be clear about the disciplinary action that will occur when cyberbullying occurs and should include information about how students and teachers should report cyberbullying. Finally, the policy should state that a student can be disciplined for off-campus speech if it causes a substantial disruption to the school's operations.

There are four tests that courts often use to decide whether or not a school can restrict student speech. They include:

Tinker Test – This test generally permits schools to restrict speech that is likely to cause a “substantial disruption or material interference with school activities” or “invasion of the rights of others.” (*Tinker v. De Moines*, 1969)

Fraser Test – School may also restrict speech that is “sexually explicit, indecent or lewd” and no disruption must be shown. (*Bethel School District v. Fraser*, 1986)

Morse Test – Schools can regulate speech that “can reasonably be regarded as encouraging illegal drug use.” (*Morse v. Frederick*, 2007).

Hazelwood Test – Schools can restrict “school sponsored” speech that is inconsistent with the school’s basic educational mission particularly if it is part of the curriculum or supervised by a faculty member (e.g., school newspaper, play or performance). (*Hazelwood School District v. Kuhlmeier*, 1988).

From: Clothier, R. (2010), What Can Schools Do to Combat Cyberbullying Without Running Afoul of the 1st Amendment?

What Schools Can Do – Policy Considerations

The Center for Disease Control and Prevention provides the following specific suggestions about school policy and cyberbullying for educators from *Electronic Media and Youth Violence: A Center for Disease Control Issue Brief* (www.cdc.gov/ncipc/dvp/YVP/electronic_aggression.htm).

1. **Explore current bullying prevention policies.** Examine policies to see if they need to be modified to reflect electronic aggression. If no policy current exists, look at samples from other school and district. Information about current laws on bullying and harassment are available at http://www.nasbe.org/healthy_schools/hs/index.php.
2. **Work collaboratively to develop policies** that protect the rights all of students and meet the needs of the state and or district served. Include district personnel, community members, families and students. The policy should also be based on evidence from research on best practices. The CDC provides the following suggestions.
 - Include a strong opening statement on the importance of creating a climate that demonstrates respect, support and caring and that does not tolerate harassment or bullying.
 - Be comprehensive and recognize the responsibilities of educators, law enforcement, caregivers, students and the technology industry in preventing electronic aggression.
 - Focus on increasing positive behaviors and skills such as problem-solving and social competency for students.
 - Emphasize that socially appropriate electronic behaviors will be exemplified by faculty and staff.

- Clearly identify specific people and organizations responsible for implementing, enforcing, and evaluating the impact of the policy.
 - Explicitly describe codes of electronic conduct for all members of the school community, focusing on acceptable behaviors but also including rules prohibiting unsafe and aggressive behavior.
 - Explain the consequences for breaking rules and provide due process for those identified as breaking the rules.
3. **Explore current programs to prevent bullying and youth violence related to social media.** There are several evidence-based programs that deal with both face-to-face aggression and electronic aggression.
 4. **Provide training on electronic aggression for educators** and administrators. The training should include the definition, characteristics of victims and perpetrators, school or district policies, information about recent incidents in the district, legal responsibility for intervention and investigation, and resources for educators and other caregivers if they have concerns.
 5. **Talk with Teens.** Provide students with an opportunity to discuss their concerns. For example, a writing assignment might be a way for students to discuss using electronic media safely and about the impact and consequences of its use.
 6. **Create a positive school atmosphere.** Research shows that students who feel connected with their school, who think teachers care about them and are fair, who think the school rules are clear and fair are less likely to perpetrate any type of violence including electronic aggression.
 7. **Have a plan in place for what should happen if an incident is brought to the attention of the school.** Rather than waiting for a problem to occur, be proactive and develop a thoughtful plan to address problems and concerns that are brought to your attention. Having a system in place may make students more likely to come forward with concerns and may support appropriate handling of the situation when it arises. Develop techniques for prevention and intervention that do not punish victims. Instead, create an atmosphere that encourages dialogue between educators and students and between families and children about their experience with electronic media.
 8. **Work with Instructional Technology (IT) and support staff.** Often information is not shared with information technology (IT) staff so that they can respond and create the infrastructure and support necessary for classroom teachers to work effectively. They can help develop strategies to minimize the risks associated with electronic media.

What Schools Should Do – The Educational Response

Every set of recommendations for dealing with cyberbullying suggests a clear policy about what constitutes bullying and how school personnel will respond. They also encourage schools to focus on educating students and their families about responsible use of the Internet and other digital media and to adopt practices to that focus on stopping the harassment.

Several steps for dealing with the use of social media, used to cyberbully, have been identified.

- First, develop a clear policy with a focus on educationally valuable use of the Internet. Effective policies are supported by curriculum and professional development. Teachers should be expected to have students use the Internet only for high quality, well-planned instructional activities.
- Second, implement a comprehensive program to educate students and their families about online safety and responsible use.
- Third, develop a plan to monitor Internet use at school.
- Fourth, have appropriate consequences for inappropriate use of the Internet or social networking sites. Include administrators, school counselors, school psychologists, and school resource officers in developing and monitoring the plan.
- Fifth, engage families in monitoring Internet use. Since most use occurs outside of school hours it is critical that parents understand the importance of monitoring their children's online activities and how they should respond when inappropriate use takes place.

Stopping the Harassment

As with most forms of harassment, a critical remedy is to take steps to change the behavior and prevent it from reoccurring. The victims of cyberbullying often feel angry, hurt, embarrassed or scared. They often want to seek revenge, cyberbully back or avoid friends and activities. But there are several ways to respond to cyberbullying. They include:

- Don't respond – Replying is exactly what most cyberbullies want. It gives them power over the victim.
- Don't retaliate – It just reinforces the bully's behavior.
- Save the evidence – The evidence of cyberbullying can almost always be saved, printed or captured in some way. Keep a record in case things escalate.
- Talk to a trusted adult – Always get the advice of someone else, a school counselor, a parent, or someone you can trust. This response was suggested by 45% of teens in the NCPC study.
- Block the bully – Use your preferences or privacy tools to block the bully from sending you more messages. If you're in a chat room, leave the room. 71% of teens in the NCPC study said this was the most effective way to deal with cyberbullying.
- Be civil – Never sink to the bully's level by responding as they did.
- Don't be a bully – Think about how you feel when you are harassed. Choose not to engage in such behavior.

- Be a friend – If you know about cyberbullying let the person know it is not acceptable. Watching or forwarding mean messages just empowers bullies.

From: www.safeteens.com/tips-to-stop-cyberbullying

Teens in the National Crime Prevention Council study were asked about effective school responses. They reported that unlike face-to-face bullying, cyberbullying was not an issue for schools to address in traditional ways. They said that things like large assemblies or daily announcements would be ineffective. Instead they suggested working with students in classroom or small group settings to talk about the implications of bullying behavior and use of social media.

Online Safety

OnGuard Online (www.onguardonline.gov/socialnetworking.html) a service of the Federal Trade Commission shares these tips about the safe use of digital technology. They are useful reminders for both teenagers and adults.

- **Understand what information should be private.** Be sure teens know why it's important to keep some things – about themselves, family members and friends – to themselves. Information like their full name, Social Security number, street address, phone number, and family financial information — like bank or credit card account numbers — is private and should stay that way. Tell them not to choose a screen name that gives away too much personal information.
- **Use privacy settings to restrict who can access and post on your personal website.** Some social networking sites have strong privacy settings. Show your teen how to use these settings to limit who can view their online profile, and explain to them why this is important.
- **Be clear that you should post only information that you are comfortable sharing with others.** Even if privacy settings are turned on, some — or even all — of your profile may be seen by a broader audience than you're comfortable with. Encourage your teen to think about the language used in a blog, and to think before posting pictures and videos. Employers, college admissions officers, team coaches, and teachers may view your teen's postings. Even a screen name could make a difference. Encourage teens to think about the impression that screen names could make.
- **Remember that once you post information online, you can't take it back.** Even if you delete the information from a site, older versions may exist on other people's computers and be circulated online.
- **Know how teens are getting online.** More and more, people access the Internet through their cell phones. Find out about what limits you can place on your cell phone. Some cellular companies have plans that limit downloads, Internet access, and texting; other plans allow use of some features only at certain times of day.
- **Talk with teens about bullying.** Online bullying can take many forms, from spreading rumors online and posting or forwarding private messages without the sender's okay, to sending threatening messages. Be sure students know that the words they type and the images they post can have real-world consequences. They can make the target of the bullying feel bad, make the sender look bad – and, sometimes, can bring on punishment from the authorities. Encourage your teens to talk to you if they feel targeted by a bully.

- **Talk with teens about avoiding sex talk online.** Recent research shows that teens that don't talk about sex with strangers online are less likely to come in contact with a predator. If you're concerned that your teen is engaging in risky online behavior, you can search the blog sites they visit to see what information they're posting. Try searching by their name, nickname, school, hobbies, grade, or area where you live.
- **Tell teens to trust their gut if they have suspicions.** If they feel threatened by someone or uncomfortable because of something online, encourage them to tell you. You can then help them report concerns to the police and to the social networking site. Most sites have links where users can immediately report abusive, suspicious, or inappropriate online behavior.
- **Read sites' privacy policies.** Spend some time with a site's privacy policy, FAQs, and parent sections to understand its features and privacy controls. The site should spell out the rights of a parent to review and delete their child's profile.

Every social media site has a set of guidelines for the safe use of technology. Here are links to several of them.

Facebook – <http://www.allfacebook.com/2009/02/facebook-privacy/>

ConnectSafely - <http://www.connectsafely.org/>

SafeTeens.com – <http://www.safeteens.com.2009/09/02/back-to-school-advice-for-safe-ethical-social-networking/>

MySpace – <http://www.myspace-safety.org/myspace-safety-privacy-policy.aspx>

YouTube Safety Center -

http://www.google.com/support/youtube/bin/request.py?contact_type=abuse&hl=en-US

Summary:

Cyberbullying is a growing problem. Because much of the bullying occurs off-campus schools are limited in how they can respond. It is recommended that schools review and clarify policies on bullying to be sure they explicitly include cyberbullying and that schools work with students and their families to promote responsible use of digital technology.

Online Resources:

Educator's Guide to Cyber bullying – A useful guide for educators about ways to respond to cyberbullying. www.cyberbully.org/cyberbully/

Cyber bullying – Article from American Association of School Administrators (AASA) – The article describes ways that school districts are responding to cyberbullying.

www.education.com/reference/article/Ref_Cyberbullying_3/

Official School Administrator Guide for MySpace – Provides Internet safety guidelines.

<http://creative.myspacecdn.com/SafetySite/documents/School.Guide.1008.Clean.pdf>

Cyberbullying: Fight Fire with Fire – Describes how districts are using the Internet to deal with cyberbulliers

<http://www.pewinternet.org/Media-Mentions/2009/Cyberbullying-Fight-Fire-With-Fire.aspx#>

Prevention and Internet Safety Resources

Center for Safe and Responsible Internet Use - www.cyberbully.org/

Resources to Prevent Cyber bullying - <http://www.cyberbully411.com/>

Helpful Links to Information on Cyberbullying

http://safety.lovetoknow.com/Category:Internet_Safety_Facts

National Center for Missing and Exploited Children

<http://www.nsteens.org/videos/cyberbullying/>

Video - <http://www.netsmartz.org/resources/reallife.htm>

Stop Cyberbullying: The Parents' Role

http://www.stopcyberbullying.org/prevention/parents_role.html

Legal Guidance

What Schools Can Do to Combat Cyberbullying.

<http://www.foxrothschild.com/newspubs/newspubsArticle.aspx?id=14125>

Cases in Point – Cyberbullying – Provides a brief review of the legal guidance.

www.edreadysearch.org/content/828/preview-pl0508taylor.pdf

Data About Cyberbullying

Teens and Cyberbullying – Report for the National Crime Prevention Council

<http://www.ncpc.org/resources/files/pdf/bullying/Teens%20and%20Cyberbullying%20Research%20Study.pdf>

Pew Internet and American Life Research Center

<http://www.pewinternet.org/>

Cyberbullying: What the Research Tells Us (2010)

<http://www.pewinternet.org/Presentations/2010/May/Cyberbullying-2010.aspx>

Curricular Resources

Seattle Cyberbullying Curriculum

<http://www.seattleschools.org/area/prevention/cbms.html>

Bullying Prevention Programs

<http://www.seattleschools.org/area/prevention/bully.xml>

Curriculum – National School Boards Association

<http://cybersmartcurriculum.org/cyberbullying/nsba/>

Anti-Defamation League – Materials on Cyberbullying

http://www.adl.org/education/curriculum_connections/cyberbullying/

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